

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

PLEASANT GROVE BAPTIST CHURCH	§	
	§	
vs.	§	CIVIL ACTION NO.
	§	
THE TRAVELERS LLOYDS	§	
INSURANCE COMPANY	§	

DEFENDANT'S NOTICE OF REMOVAL
EXHIBIT C: COPIES OF PLEADINGS, ANSWERS, PROCESSES AND ORDERS

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COMES NOW, The Travelers Lloyds Insurance Company, the defendant in the above entitled and numbered cause, and files copies of all pleadings asserting causes of action, all answers to such pleadings, and all processes and orders served upon the defendant, as required by 28 U.S.C. § 1446(a) and Local Rule CV-81(c)(2).

John Piersol
Process Server
112 Wheeler Ave.
Suite #5
Center, TX 75935

July 31, 2017

The Travelers Lloyds Insurance Company
c/o Corporation Service Company
211 East Street, Suite 620
Austin, TX 78701-3218

Certified Mail, Return Receipt Requested

RE: Cause No. 17CV34031
Pleasant Grove Baptist Church vs. The Travelers Lloyds
Insurance Company

Dear Sir/Madam:

Enclosed please find Plaintiff's Original Petition in the
above-styled and numbered cause of action.

Very truly yours,

/s/ John Piersol,
Process Server

:jp
Encls.

LORI OLIVER, DISTRICT CLERK - P.O. DRAWER 1953, CENTER, TX 75935

936-598-4164

Cause No. 17CV34031

PLEASANT GROVE BAPTIST
CHURCH

IN THE DISTRICT COURT

VS.

123RD/273RD JUDICIAL DISTRICTTHE TRAVELERS LLOYDS
INSURANCE COMPANY

SHELBY COUNTY, TEXAS

TO: THE TRAVELERS LLOYDS INSURANCE COMPANY, by serving its registered agent, Corporation Service Company, at 211 East Street, Suite 620, Austin, TX 78701-3218:

Notice to defendant: You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the first Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

You are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation, before the 123RD/273RD Judicial District Court of Shelby County, Texas at the Courthouse in said County in Center, Texas. Said Plaintiff's Petition was filed in said court on the 11TH day of JULY, 2017 in the above entitled cause.

The nature of Plaintiff's demand is fully shown by a true and correct copy of PLAINTIFF'S ORIGINAL PETITION accompany this citation and made a part hereof.

Issued and given under my hand and seal of said Court at Shelby County Texas this 13TH day of JULY, 2017

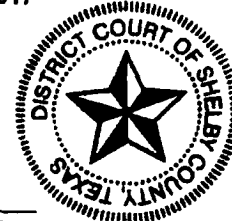
Attorney for Plaintiff or Plaintiffs:

Don Wheeler
101 Tenaha Street
P.O. Box 1687
Center, Texas 75935
(936) 598-2925

District Clerk of the Court:

Lori Oliver
Shelby County, Texas

By Pamela Whitton
Pamela Whitton, Deputy Clerk



Service Return

Came to hand on the 31st day of July, 2017, at 1p m and executed on the _____ day of _____, 20____, at _____ M by delivering to the within named _____ in person a true copy of this citation, with attached copy(ies) of the by certified mail to Defendant at _____

[] Not executed. The diligence use in finding defendant being _____

[] Information received as to the whereabouts of defendant being _____

Service Fee: \$ _____

Service ID No. _____

Shelby County
Sheriff/Constable
County, Texas
John A. [Signature]
Deputy/Authorized Person

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME ON _____, 20____.

Notary Public

17CV34031

Filed 7/11/2017 9:57 AM

Lori Oliver

District Clerk

Shelby County, Texas

Pamela Whitton

CAUSE NO. 17CV34031

48/82

PLEASANT GROVE BAPTIST CHURCH	\$	IN THE DISTRICT COURT
	\$	
	\$	
VS.	\$	OF
	\$	
THE TRAVELERS LLOYDS INSURANCE COMPANY	\$	
	\$	SHELBY COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE COURT:

COMES NOW PLEASANT GROVE BAPTIST CHURCH hereinafter referred to as Plaintiff, complaining of THE TRAVELERS LLOYDS INSURANCE COMPANY, hereinafter referred to as Defendant, and for cause of action would show this Honorable Court the following:

1.

Plaintiff asserts that Level 2 of the discovery control plan applies in this cause of action and that discovery should be conducted in accordance with said level.

2.

Plaintiff is a Texas Corporation with its principal place of business in Center, Shelby County, Texas.

Defendant, THE TRAVELERS LLOYDS INSURANCE COMPANY, is a corporation licensed to do business in the State of Texas, and can be served by serving its attorney for service, Corporation Service Company, 211 East 7th Street, Suite 620, Austin, TX 78701-3218.

3.

On or about February 08, 2012, Defendant issued a commercial insurance policy covering Plaintiff. Under the terms and conditions of said insurance policy, the Defendant was to pay

Plaintiff's Original Petition - Page 1

damage caused to the Plaintiff. Defendant was properly and timely notified of this claim, and demand was made for payment.

4.

Defendant breached and violated the terms of the insurance policy in effect by failing and refusing to pay Plaintiff the full amount due under said policy. Plaintiff, therefore, seeks to recover against Defendant its damage of \$27,298 and attorney's fees.

5.

Plaintiff also seeks to recover prejudgment interest at the rate commensurate with the actual rate of interest in the market place, or alternatively, the statutory rate because of the delay in receiving her damages and also to avoid the unjust enrichment of the Defendant because it has had the use of the funds which should have been used to compensate Plaintiff.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that on final trial, Plaintiff has judgment against Defendant for those actual damages described above together with prejudgment interest, attorney's fees and costs of Court. Plaintiff further prays for such other relief to which Plaintiff may be justly entitled at law or in equity.

CAUSE NO. 17-CV-34031

PLEASANT GROVE BAPTIST CHURCH	§	IN THE DISTRICT COURT OF
	§	
VS.	§	SHELBY COUNTY, TEXAS
	§	
THE TRAVELERS LLOYDS	§	
INSURANCE COMPANY	§	123RD/273RD JUDICIAL DISTRICT

DEFENDANT'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, The Travelers Lloyds Insurance Company, the defendant in the above entitled and numbered cause, and files this its original answer to the plaintiff's original petition on file herein, and in support thereof would respectfully show the Court as follows:

I.

The defendant hereby generally denies the allegations contained in the plaintiff's petition on file herein pursuant to Rule 92 of the Texas Rules of Civil Procedure, and thus asserts its privilege of insisting that such allegations be proven by a preponderance of credible evidence.

II.

Pleading further, should further answer be necessary, the defendant asserts as an affirmative defense that all of the plaintiff's claims in this case are barred by the applicable statute(s) of limitations and are likewise barred by the condition in the policy of insurance at issue in this lawsuit that requires an action to be brought within two years and one day after the cause of action first accrues.

III.

Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, the defendant notifies all parties to this lawsuit of the defendant's intent to introduce as evidence at any pretrial proceeding or at trial any document produced by any party in discovery in this lawsuit.

IV.

The defendant specifically reserves the right to amend its answer to plead any additional affirmative defenses or other matters that must be specially pled and to assert any counterclaims or third-party claims it may have after discovery in this case is complete.

WHEREFORE, PREMISES CONSIDERED, the defendant, The Travelers Lloyds Insurance Company, moves and prays the Court that upon trial hereof, the plaintiff recover nothing, and that the defendant go hence with its costs, and for such other and further relief, both general and special, legal and equitable, to which the defendant may show itself justly entitled to receive.

[SIGNATURE PAGE TO FOLLOW]

Respectfully submitted,

ORGAIN BELL & TUCKER, LLP
P O Box 1751
Beaumont, TX 77704-1751
(409) 838-6412
(409) 838-6959 facsimile

/s/ Greg C. Wilkins

Greg C. Wilkins
State Bar No. 00797669
gcw@obt.com
Warren B. Wise
State Bar No. 24093437
wwise@obt.com

ATTORNEYS FOR DEFENDANT,
THE TRAVELERS LLOYDS
INSURANCE COMPANY

CERTIFICATE OF SERVICE

I do hereby certify that on the 25th day of August, 2017, I electronically filed the foregoing with the Shelby County District Clerk via eFile Texas which will send notification of such filing to each counsel of record.

/s/ Greg C. Wilkins

Greg C. Wilkins